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SECURITY COUNCIL
Forty-ninth year

Letter dated 5 August 1994 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

An emergency ministerial meeting of the Contact Group on Bosnia and Herzegovina of the Organization of the Islamic Conference was held at Geneva on 4 August 1994, to consider the situation arising from the rejection by the Serbian side of the peace plan proposed by the Western Contact Group, and the renewed violations of the safe areas, including attacks on personnel of the United Nations Protection Force (UNPROFOR).

At the end of this emergency meeting, a declaration was issued, a copy of which is enclosed. I would appreciate it if the present letter together with its annex could be issued as a document of the forty-eighth session of the General Assembly under agenda item 42, and of the Security Council.

(Signed) Jamsheed K. A. MARKER
Ambassador
Permanent Representative

ANNEX

Declaration of the Ministerial Meeting of the Contact Group on Bosnia and Herzegovina of the Organization of the Islamic Conference held at Geneva on 4 August 1994

The Foreign Ministers of the States members of the Contact Group on Bosnia and Herzegovina of the Organization of the Islamic Conference, together with the Secretary-General of the organization, held an emergency meeting at the Palais des Nations at Geneva on 4 August 1994, to consider the grave situation arising from the rejection by the Serbian side of the peace plan proposed by the five-nation Contact Group and the renewed violations of safe areas including attacks on personnel of the United Nations Protection Force (UNPROFOR).

The Foreign Ministers took note of the proceedings of the ministerial meeting of the five-nation Contact Group held at Geneva on 30 July 1994, in which it was agreed to take "rigorous action" against the Serbian leaders as a consequence of their rejection.

The Foreign Ministers also noted that the five-nation Contact Group, while indicating its readiness to undertake action against the Belgrade regime and its surrogates (the Serbian side) through resolutions of the Security Council, had not indicated a clear plan of action to deal with the Serbian side in the light of possible disincentives announced earlier. That had been interpreted as a weakening of the commitment of the five-nation Contact Group by the Serbian side who have resorted to targeting United Nations personnel and strangulating Sarajevo by closing the "blue route".

The Foreign Ministers reiterated their commitment to the achievement of peace in the Republic of Bosnia and Herzegovina and regretted the continuous violations of the United Nations resolutions by the Serbian side, without effective and meaningful enforcement measures by the international community. The situation had thus led to a "vicious circle" with the Serbian side time and again defying the will of the international community with renewed impunity.

The Foreign Ministers expressed their full support to the principled position taken by the Bosnian Government, specially their acceptance of the peace plan of the five-nation Contact Group, which contained the unjust proposal of territorial delineation. This was true to the spirit exhibited by the Government of Bosnia and Herzegovina which had always worked for the restoration of peace in the Republic. However, with their effective rejection even of the peace plan, consistent with their past negations of a negotiated settlement, the Serbian side had once again challenged the international community's effort to achieve peace in the Republic of Bosnia and Herzegovina.

The Foreign Ministers reaffirmed that the independence, territorial integrity, sovereignty and unity of the Republic of Bosnia and Herzegovina must not be compromised under any circumstances.

The Foreign Ministers reiterated that the Belgrade regime and its surrogates in the Republic of Bosnia and Herzegovina were the aggressors in the Bosnian conflict and were responsible for the present tragic conflict in the Republic. They had resorted to crimes of genocide and ethnic cleansing as well as targeting of United Nations personnel and impeding humanitarian aid to the people of the Republic. Therefore, it is unacceptable that they should be treated at par with the Government of the Republic of Bosnia and Herzegovina, which was the legitimate Government of the Republic, representing all its people.

The Foreign Ministers therefore stressed that the peace process could only be strengthened and made credible if the following were ensured:

(a) The Security Council must immediately adopt a decision that existing sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) should be strictly enforced without failure, and new sanctions imposed, including the freezing of their financial assets and properties in foreign countries, and the severing of telecommunications links.

(b) The United Nations must extend and make effective the protection of safe areas in the territory of Bosnia and Herzegovina. The safe areas must be protected and expanded to cover all the territories allocated to the Federation of Bosnia and Herzegovina (within a sovereign and territorial integrated Republic of Bosnia and Herzegovina) under the proposed five-nation Group peace plan. United Nations forces as well as the North Atlantic Treaty Organization (NATO) command must be resolute in their commitment to defend existing safe areas as well as any expanded safe areas/exclusion zones that might be established or extended. In particular, close air support and air strikes should be applied where mandated by the resolutions of the Security Council.

(c) The Security Council was urged to adopt without delay a resolution that would demilitarize Sarajevo and its 10 opstinas. That action would include the elimination of both external and internal confrontation lines as well as encourage return of refugees and promote reconciliation. They reaffirmed the status of Sarajevo as the undivided and united capital of the Federation of Bosnia and Herzegovina, and the Republic of Bosnia and Herzegovina.

(d) There was a need to ensure the prevention of further and illegal flows of military assistance in manpower, weaponry and equipment from the Federal Republic of Yugoslavia (Serbia and Montenegro). Towards this end, international forces must be stationed along the borders of the Republic of Bosnia and Herzegovina with Serbia and Montenegro, to monitor effectively and control the Republic's border with Serbia and Montenegro. Pending the stationing of ground forces, monitoring and control should be ensured by air surveillance forces. The Foreign Ministers also took note of the decision of the Government of Bosnia and Herzegovina to offer mutual recognition to the Government of Serbia, and welcomed this as a constructive and positive step towards a peaceful resolution of the conflict.

(e) The Foreign Ministers of the States members of the Organization of the Islamic Conference, gravely aware that the current cease-fire had not mitigated any acts of ethnic cleansing or other human rights abuses in Serb-occupied

areas, particularly in Banja Luka and Bijeljina, called upon the Security Council to mandate a United Nations presence in those cities, and as soon as possible, an UNPROFOR presence with the mandate to deter crimes against civilians. The mandate of UNPROFOR must be strengthened and its continual presence in Bosnia should be ensured until peace was fully restored. Furthermore, the Foreign Ministers welcomed the joint communiqué of 12 June, signed by the Special Representative of the Secretary-General and the Bosnian Government authorities calling for the Special Representative to visit Banja Luka and Bijeljina.

(f) The Government of Bosnia and Herzegovina should be provided the means of self-defence by immediate confirmation that the arms embargo imposed by the Security Council in its resolution 713 (1991) of 25 September 1991 does not apply to the Government of the Republic of Bosnia and Herzegovina. This would ensure restoration of the right of individual and collective self-defence as enshrined in Article 51 of the Charter of the United Nations. If no Security Council confirmation was forthcoming, the Organization of the Islamic Conference membership, along with other States Members of the United Nations, might come to the conclusion that they could provide the means of self-defence to the Government of the Republic of Bosnia and Herzegovina consistent with Article 51 of the Charter.

(g) A plan should also be prepared by the United Nations to ensure that adequate protection was maintained for the people who had taken refuge in the United Nations designated safe areas, as well as unimpeded humanitarian supplies to other parts of the country.

(h) The Security Council should draw up a programme for the free and safe return of refugees and displaced persons under international guarantees.

(i) The Serbian authorities should be condemned for expelling the observers of the Conference on Security and Cooperation in Europe (CSCE) from Sanjak and Kosovo. The Bosnian Muslims in Sanjak, Albanian Muslims in Kosovo and Serbia and Montenegro, as well as Hungarians and other minorities, should be given full protection of human, political and cultural rights. Towards that end, the Foreign Ministers planned to dispatch "a mission/delegation" to those regions, and to encourage the High Commissioner for Human Rights to facilitate and lead a similar mission.

(j) The Foreign Ministers welcomed the appointment of, though with considerable and unnecessary delay, the Prosecutor for the International Tribunal established pursuant to Security Council resolution 827 (1993). They reaffirmed that the International Tribunal should take immediate steps with the full participation and aid of the international community, both in terms of finances and personnel, as well as the provision of relevant information, for prosecution and punishment of war crimes. In that regard special financial assistance might be provided to facilitate the recording of evidence by women witnesses. The Foreign Ministers supported the establishment of a liaison office in Sarajevo in order to coordinate the work of the International Tribunal and the legal and judicial authorities of the Republic of Bosnia and Herzegovina.

The Foreign Ministers recalled that the Security Council had the primary responsibility for the maintenance of international peace and security under the provisions of the Charter, and urged it to undertake effective and resolute enforcement measures to implement its earlier resolutions and institute new rigorous initiatives against the Serbian side in view of its rejection of the peace plan.

The Foreign Ministers expressed their regrets that the five-nation Contact Group had failed to take into account the necessity of the participation of the Contact Group of the Organization of the Islamic Conference as underlined by the representatives of Bosnia and Herzegovina and Croatia. They reiterated that the Contact Group, including the Secretary-General of the Organization of the Islamic Conference, should be associated with the activities of the five-nation Contact Group in view of the special association of the organization with the Bosnian crisis.

The Foreign Ministers also recommended that the Contact Group, including the Secretary-General of the organization, meet at the summit level as soon as possible to review the steps taken by the five-nation Contact Group and the Security Council in addressing the situation in Bosnia and Herzegovina and suggested that the Chairman of the Islamic Summit initiate consultations in that connection. The Islamic Summit Conference should consider all dimensions of the issue and make suitable recommendations in the light of its previous resolutions and decisions.

Bearing in mind the commitments made by the five-nation Contact Group to a peaceful settlement in Bosnia and Herzegovina, the Foreign Ministers reiterated the decisions and recommendations adopted by earlier meetings of the Organization of the Islamic Conference, including their determination to review their economic relations with those Governments that continued to impede the achievement of a just settlement by acts and policies aimed at rewarding the aggressor, and to evolve a joint position of the Organization of the Islamic Conference on the question as soon as possible.

If the above measures were not effectively undertaken by the Security Council, the Organization of the Islamic Conference would have no other recourse than to initiate the convening of an urgent session of the United Nations General Assembly with a view to seeking peace with justice in Bosnia and Herzegovina, in conformity with paragraph 21 of the declaration of the Ministerial Meeting of the Contact Group on Bosnia and Herzegovina of the Organization of the Islamic Conference in New York adopted on 27 April 1994.

The Foreign Ministers also appealed to the international community to mobilize resources for the reconstruction and rehabilitation of the Republic of Bosnia and Herzegovina. They drew attention to the urgent need for providing assistance to the Government and people of Bosnia and Herzegovina, particularly in view of the serious shortfall in donations made to the Office of the United Nations High Commissioner for Refugees and other humanitarian agencies.